

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

INDYMAC BANK, F.S.B)	
a Federal Savings Bank,)	
)	
Plaintiff,)	07 C 6224
)	
vs.)	Honorable Judge Ronald A. Guzman
)	
GANESAN VISVABHARATHY,)	
an individual and HAWTHORNE)	
ORLANDO CORPORATION, a Florida)	
corporation,)	
)	
Defendants)	

**PETITION FOR ATTORNEYS' FEES AND
AFFIDAVIT OF JAMES G. MARTIGNON**

In support of the Plaintiff's Petition for Attorneys' Fees and expenses, I, James G. Martignon, being first duly sworn on oath, depose and state that I have knowledge of the facts set forth in this Petition, and if sworn as a witness I can competently testify to the following facts:

1. Affiant is an attorney licensed to practice by the Supreme Court of Illinois since 2002 and is an associate in the firm of Levenfeld Pearlstein, LLC which represented the Plaintiff in these proceedings.

2. Affiant has personal knowledge as to the office procedures of Levenfeld Pearlstein, LLC concerning the recording of daily time, its entry on the computer system, and the general operation of the software, together with the record retention procedures of the firm. The firm of Levenfeld Pearlstein, LLC has throughout its representation pertinent to this matter, employed a time-keeping system under which each attorney makes daily notations as to his efforts and activities on behalf of clients. The information set forth in those daily notations are, under procedures established by Levenfeld Pearlstein entered onto a computer system.

3. Both the computer hardware and the Software (ProLaw) are generally recognized and employed in the business and legal community.

4. According to the records of Levenfeld Pearlstein, LLC kept and maintained as aforesaid, the attorneys designated below have devoted hours in the representation of the Plaintiff in this matter, allocated between such attorneys and paralegals as follows:

RECAP OF HOURS:

Bryan I. Schwartz –	4.60 hours @ \$450.00 per hour
Gary I. Blackman –	51.90 hours @ \$385.00-\$425.00 per hour
Christopher S. Griesmeyer-	2.50 hours @ \$345.00 per hour
James G. Martignon-	100.75 hours @ \$300.00-\$320.00 per hour
Paralegals –	40.90 hours @ \$175.00-\$195.00 per hour
Legal Assistants –	1.30 hours @ \$100.00 per hour
TOTAL FEES -	\$64,629.00
TOTAL COSTS -	\$ 9,030.92

(The above time includes one-half hour of attorney time for review and revisions to Affidavit of Todd Camp, Attorney Fee Petition and Judgment Order and one hour of anticipated attorneys fees for preparation and review of pleadings and court appearance on entry of Judgment at \$320.00 per hour.)

5. On information and belief, based on affiant's knowledge of the general legal community in the Chicago area regarding billing practices and rates, and having contracted for legal services with attorneys in such community, Affiant suggests and it is Affiant's opinion that the following hourly rates are fair and reasonable for the following individuals:

A.	Bryan I. Schwartz –	\$450.00 per hour
B.	Gary I. Blackman –	\$425.00 per hour

- C. Christopher S. Griesmeyer- \$345.00 per hour
- D. James G. Martignon- \$320.00 per hour
- E. Paralegals – \$175.00-\$195.00 per hour
- F. Legal Assistants – \$100.00 per hour

6. Affiant was aware and personally participated in this matter. Affiant has reviewed all the pleadings, correspondence and time slip entries relating to this matter. It is affiant's opinion that the time was necessary and appropriate for the proper representation of the Plaintiff's claims and positions in this matter: reviewing the payment history and loan documents; preparing pleadings and discussing this matter with Plaintiff's representatives.

FURTHER, AFFIANT SAYETH NAUGHT.

/s/ James G. Martignon
James G. Martignon

Gary I. Blackman (ARDC #6187914)
James G. Martignon (ARDC #6277974)
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CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and I hereby certify that I have caused the document to be sent to the following via FEDEX-Next Day Delivery at the address listed:

Mr. Bruce S. Sperling
Mr. Daniel A. Shmikler
Sperling & Slater, P.C.
55 W. Monroe Street, Suite 3200
Chicago, IL 60603

/s/ James G. Martignon
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